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November 26, 2012

Via ECFS

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: American Cable Association (“ACA”), *Ex Parte* Meeting on Data Request:
Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-
25, RM-10593**

Dear Ms. Dortch:

On November 16, 2012, ACA submitted an *ex parte* letter in the above-reference dockets stating that “Internet access services are clearly not interchangeable with special access lines because they are generally provided without the same quality of service and related guarantees as dedicated high-capacity lines. Moreover, the Commission is seeking this data without any analysis of the additional burden this would place on smaller operators, contrary to the dictate of the Paperwork Reduction Act.”¹ ACA continues to hold these views.

On November 21, 2012, the undersigned, Thomas Cohen of Kelley Drye & Warren LLP representing ACA, following on this letter responded to a request from Eric Ralph of the Wireline Competition Bureau about the extent to which ACA cable operator members were providing broadband Internet access service to businesses and, if so, the extent to which these operators were submitting data about the provision of such service for purposes of the National Broadband Map (“NBM”).

ACA represents approximately 850 entities providing video programming service, the vast majority of which have fewer than 15,000 video subscribers. Most ACA members also provide

¹ *Ex Parte* Letter from Ross Lieberman, Vice President of Government Affairs, American Cable Association to Michael Steffen, Legal Advisor to Chairman Genachowski, WC Docket No. 05-25, RM-10593 (filed Nov. 16, 2012).

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broadband Internet access service. Among ACA's smaller members that provide a fixed IP broadband service to customers for business purposes, they often have a limited number of these subscribers. Many if not most of these subscribers operate their businesses from their residences. As for submissions by its members for the NBM, ACA noted (1) the process is disproportionately more burdensome for smaller operators that have fewer employees and that do not in the normal course of business collect and store such information in the same formats as requested by states and (2) while many states have been diligent in gathering data, many others were not.

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules.

Sincerely,



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cc: Eric Ralph